

COMMON COUNCIL  
COUNCIL CHAMBERS  
OCTOBER 19, 2004

- I. Mayor Fred Armstrong called a regular meeting of the City Common Council to order at approximately 7:02 P.M.
  - A. Opening Prayer was given by Paul Haugen, Pastor of Care Ministries at St. Peter's Lutheran Church.
  - B. Pledge – Mayor Armstrong led the Pledge of Allegiance.
  - C. Roll Call: Present: Ann DeVore, George Dutro, Robert Kittle, August Tindell – Absent: John Brown, Tom Hodek, Martha Myers.
  - D. Acceptance of Minutes from the previous meeting: Ann DeVore moved to approve the minutes from the last meeting and Robert Kittle seconded the motion. Motion passed by a vote of 4 to 0.
- II. Unfinished Business Requiring Council Action
  - A. Second reading of an Ordinance entitled “ORDINANCE NO.29 2004, AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY.” (Sycamore St.) Jeff Bergman, Planning Director, explained this ordinance vacating public right-of-way. Robert Kittle made a motion to approve the ordinance. August Tindell seconded the motion. The motion passed by a vote of 4 to 0.
- III. New Business Requiring Council Action
  - A. Reading of a Resolution entitled “RESOLUTION NO.28, 2004, RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK-TREASURER TO EXECUTE STATEMENT OF BENEFIT FORMS IN CONJUNCTION WITH AN APPLICATION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1-7.” (Rightway Fasteners) Judy Jackson, Director of Community Development, indicated this was Rightway Fasteners 13<sup>th</sup> tax abatement. Tax abatement is being requested for the purchase and installation of additional surface treatment equipment, which will meet the technological requirements of the automotive market. The tax abatement is in the amount of \$650,000. As a result, two (2) new jobs will be added resulting in a total employment of 208. Ray Duty, representative for Rightway Fasteners spoke about the company. Robert Kittle informed the Council that the Incentive Review Committee had met and found Rightway Fasteners to be in substantial compliance. Robert Kittle made a motion to approve the ordinance. Ann DeVore seconded the motion. The motion passed by a vote of 4 to 0.

Mayor Armstrong requested that **Item J. under New Business Requiring Council Action** be moved forward on the agenda due to the fact the attorneys presenting this ordinance were from out of town and needed to leave.

- J. First reading of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2004, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA AUTHORIZING THE ISSUANCE OF ECONOMIC DEVELOPMENT REVENUE BONDS BY THE CITY

OF COLUMBUS, INDIANA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,700,000, THE PROCEEDS OF WHICH SHALL BE LOANED TO ARBORS AT PRINCETON PARK L.P. (D/B/A ARBORS AT WATERS EDGE) TO FINANCE THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF CERTAIN ECONOMIC DEVELOPMENT FACILITIES LOCATED WITHIN THE CITY OF COLUMBUS, INDIANA, AND APPROVING AUTHORIZING OTHER ACTIONS IN RESPECT THERETO.” Thomas C. Froehle Jr., attorney at Baker and Daniels explained the request of Arbors at Princeton Park L.P. (D/B/A Arbors at Waters Edge) Mr. Froehle explained that on July 20, 2004, he and Kent Heckaman, Vice President of Sterling Development LLC came before the City Council and the Council approved Resolution No. 21 which preliminarily approved the issuance of economic development revenue bonds to finance a 160-unit multi-family apartment development by Arbors at Princeton Park L.P. Mr. Heckaman again explained the intent of Sterling Development LLC. Mr. Froehle informed the Council that Sterling Development had complied with all necessary steps to receive Economic Development Revenue Bonds. It was pointed out by Mr. Froehle that there was no financial obligation on the part of the City of Columbus. Discussion followed. George Dutro made a motion to place the ordinance in proper channels. August Tindell seconded the motion. The motion passed by a vote of 4 to 0.

- B. Introduction of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2004, AN ORDINANCE ANNEXING AND DECLARING TO BE A PART OF THE CITY OF COLUMBUS, INDIANA CERTAIN TERRITORY CONTIGUOUS THERETO.” (Love) Jeff Bergman indicated this was an introduction on the annexation and no action needed.
- C. First Reading of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2004, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA TO REZONE APPROXIMATELY 0.03 ACRES, LOCATED ON THE SOUTH SIDE OF BASE ROAD 1,262 FEET WEST OF COUNTY ROAD 400 EAST, FROM AG (AGRICULTURE) TO SU-13 (UTILITY INSTALLATIONS, MASS TRANSPORTATION DEPOT, AND RADIO OR TELEVISION TOWERS).” (Eastern Bartholomew Water Corp.) Jeff Bergman, Planning Director, reported the site plan was not available for this meeting and asked that the matter be tabled until the next City Council Meeting. Ann DeVore made a motion to continue the matter until next meeting. Robert Kittle seconded the motion. The motion passed by a vote of 4 to 0.
- D. First Reading of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2004, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA TO MODIFY SPECIAL USE PROVISIONS FOR APPROXIMATELY 206.4 ACRES, LOCATED EAST OF POSHARD DRIVE, 1600 FEET NORTH OF THE INTERSECTION OF POSHARD AND MIDDLE ROAD, CURRENTLY ZONED SU-22 (CLUSTER DEVELOPMENTS).” (Mike and Patricia Morgan) Jeff Bergman presented this ordinance to modify provision 17 for Northbrook Special Use District. The provision in its modified form would allow all types of foundations permitted under the building. Presently, the existing provision 17 required a minimum of a crawlspace. Jeff Bergman indicated the Columbus Plan Commission held a scheduled public hearing and there was no one that spoke in opposition. The Plan

Commission had recommended approval. Mike Morgan, owner of the property, spoke about the difference between the modular home and the custom built home now being placed on the lots. George Dutro pointed out that under 17(b) of the Building specifications for development of Northbrook, it should read “the foundations will be poured concrete, 40” in height, and will have a crawl space for all manufactured or modular homes, **or** foundations per code for site built homes. George Dutro made a motion to change “**and**” to “**or**”. Ann DeVore seconded the motion. The motion passed by a vote of 4 to 0. George Dutro made a motion to place this ordinance in proper channels. August Tindell seconded the motion. The motion passed by a vote of 4 to 0.

- E. First Reading of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2004, AN ORDINANCE AMENDING THE ZONING MAP, A PART OF TITLE 17 (THE ZONING ORDINANCE) OF THE CODE OF LAWS OF COLUMBUS, INDIANA TO REZONE APPROXIMATELY 39.28 ACRES, LOCATED ON THE WEST SIDE OF COUNTY ROAD 175 WEST APPROXIMATELY ¼ MILE SOUTH OF DEAVER ROAD, FROM AG (AGRICULTURE) TO I-C3 (HEAVY INDUSTRIAL WITH COMMITMENTS).” (Wiley) Jeff Bergman , Planning Director, reported to the Council the Columbus Plan Commission had held a public hearing on the Wiley’s petition for rezoning property located on the west side of Road 175 West, consisting of approximately 39.28 acres, from AG to I-3. The Plan Commission had recommended approval of rezoning the property to I-3C with five conditions. After the public hearing, the Commission voted 6-1 to recommend the rezoning be approved with the conditions. Brief discussion followed. Robert Kittle made a motion to place in proper channels. Ann DeVore seconded the motion. The motion passed by a vote of 4 to 0.
- F. Introduction of an Ordinance entitled “ORDINANCE NO.\_\_\_\_, 2004, AN ORDINANCE ANNEXING AND DECLARING TO BE A PART OF THE CITY OF COLUMBUS, INDIANA CERTAIN TERRITORY CONTIGUOUS THERETO.” (Wiley) Jeff Bergman indicated this was an introduction on the annexation and no action needed.
- G. Reading of a Resolution entitled “RESOLUTION NO. 29, 2004, A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, CONCERNING THE EXECUTION AND DELIVERY OF A MASTER LEASE PURCHASE AGREEMENT IN CONNECTION WITH THE FINANCING OF THE PROCUREMENT OF CERTAIN FURNISHINGS AND OTHER EQUIPMENT FOR THE COLUMBUS LEARNING CENTER AND OTHER RELATED MATTERS.” John Burnett and Tom Froehle Jr., attorney at Baker and Daniels, explained this lease agreement as it pertains to the Columbus Learning Center. He explained there was no financial obligation on the part of the City of Columbus. George Dutro inquired why Exhibit “A” was missing. It was determined that it was an oversight and would be forwarded and attached to this resolution. George Dutro made a motion to approve the resolution with the stipulation that Exhibit “A” would be provided to the Mayor for his perusal. Mayor agreed he would look over Exhibit “A” to assure it was proper. Robert Kittle seconded the motion. The motion passed by a vote of 4 to 0.
- H. First reading of an Ordinance entitled “ORDINANCE NO.30, 2004, AN APPROPRIATION ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET FOR THE YEAR 2004.” (Parks) Ed Curtin presented information on establishing the McCullough’s Run Park Federal Grant. He explained

that the Parks and Recreation Department through the gifts of donated land, in-kind labor and cash could be reimbursed at a 50% rate from this federal grant up to a maximum of \$162,486. This Ordinance provides for a new fund be established under the Parks Dept. George Dutro raised the question regarding the ordinance reading “**TO** the General Fund” when in fact; it should be “**FROM** the General Fund”. George Dutro also inquired on how the money would get back to the General Fund. George Dutro made a motion to amend the ordinance to read **FROM:** General Fund – Account No. 101-0101-0011 **TO:** McCullough’s Run Federal Grant Park Fund – Account No. (to be set up by Clerk Treasurer’s Office). In addition, the amended Ordinance should read “All funds reimbursed shall be transferred back to the General Fund”. Robert Kittle seconded the motion. The motion passed by a vote of 4 to 0. George Dutro made a motion to suspend the rules and pass this Amended Ordinance on the first reading. August Tindell seconded the motion. The motion passed by a vote of 4 to 0. Ann DeVore made a motion to approve the amended ordinance. Robert Kittle seconded the motion. The motion passed by a vote of 4 to 0.

- I. First Reading of an Ordinance entitled “ORDINANCE NO.31, 2004, AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2004.” Matt McCord, Chief of Police, explained Bartholomew County and City of Columbus had entered into an Interlocal Cooperative Agreement for the combined Central Dispatch and E911 Operations. Because of the timing of the invoice, the City had already exhausted its 2004 budget for Central Dispatch making it necessary to come before the Council for an additional appropriation. Matt McCord asked the Council to approve the additional appropriation in order for the City to pay the invoice current. George Dutro made a motion to suspend the rules and approve on the first reading. Ann DeVore seconded the motion. The motion passed by a vote of 4 to 0. Robert Kittle moved to approve the Ordinance. August Tindell seconded the motion. The motion passed by a vote of 4 to 0.

#### IV. Other Business

- A. Reports were given for informational purposes. Robert Kittle reported the Incentive Review Committee was in the process of reviewing four (4) CF-1 forms.
- B. The next scheduled meeting of the Common Council is **Wednesday**, November 3, 2004 in the Council Chambers.
- C. Adjourn – Robert Kittle moved to adjourn. August Tindell seconded the motion. The motion to adjourn passed by a vote of 4 to 0. The meeting adjourned at approximately 8:12 o’clock P.M.

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Presiding Officer of the Common Council

Attest:

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Columbus City Clerk Treasurer